

AMENDMENTS TO THE DRAWINGS

Enclosed are six (6) replacement sheets showing formal figures 1-13. Please replace all drawings sheets previously submitted, which show informal figures 1-13, with the enclosed replacement sheets. No new matter is introduced by the replacement sheets.

REMARKS

Claims 1-34 and 57-66 were canceled in a Preliminary Amendment filed on September 9, 2003. Claims 35-45 were withdrawn in a Response to Restriction Requirement filed on March 27, 2006. In this Amendment, claims 49, 52-54, and 56 are currently amended to more particularly point out and distinctly claim the invention, and claims 67-90 are new. No new matter is introduced by this Amendment. Claims 35-56 and 67-90 are pending after entry of this Amendment.

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of forgoing amended claims and the remarks presented below.

Rejections under 35 U.S.C. § 102

Claim 46 was rejected under 35 U.S.C. § 102(e) as being anticipated by Moberg et al. (2001/0034502), Spence et al. (5,219,099), and Heilman et al. (3,623,474). This rejection is respectfully traversed.

Moberg et al. is not prior art because the February 9, 1999 priority date of the present application predates the filing date and priority date of Moberg et al. The present application claims priority from Application No. 09/247,756 filed on February 9, 1999, now Patent No. 6,645,117.

Spence et al. and Heilman et al. fail to teach a syringe comprising "a flange positioned at the proximal end of the stem and outside the syringe body, the flange extending radially outwardly from the stem and having a threaded portion sized to engage the threaded shaft," as recited in claim 46.

In rejecting claim 46, the Office refers to figure 1 of Spence et al. but does not designate the particular part relied on. Applicant has carefully studied Spence et al. and is unable to ascertain its pertinence. As is clearly shown in figure 1, no part of the

plunger 12 of Spence et al. has a "threaded portion sized to engage the threaded shaft," as required by claim 46.

In rejecting claim 46, the Office refers to figure 3 of Heilman et al. but does not designate the particular part relied on. Applicant has carefully studied Heilman et al. and is unable to ascertain its pertinence. If the piston tube 170 of Heilman et al. is considered by the Office to be the plunger stem of claim 46, figure 3 clearly shows that the piston tube 170 does not have a "flange extending radially outwardly from the [piston tube] and having a threaded portion sized to engaged the threaded shaft," as required by claim 46. If the pin 162 of Heilman et al. is considered by the Office to be a flange extending radially outward, figure 3 clearly shows that the pin 162 does not have "a threaded portion sized to engaged the threaded shaft," as required by claim 46.

Rejections under 35 U.S.C. § 103

The Office rejected defendant claims 47-56 under 35 U.S.C. § 103(a) as being unpatentable over Moberg et al. in view of Das et al. (6,423,035) and Bucchiareni (4,424,720). This rejection is respectfully traversed. Moberg et al. is not prior art because the February 9, 1999 priority date of the present application predates the filing date and priority date of Moberg et al. The combination of Das et al. and Bucchiareni does not disclose or suggest a syringe comprising "a flange positioned at the proximal end of the stem and outside the syringe body, the flange extending radially outwardly from the stem and having a threaded portion sized to engage the threaded shaft," as claimed by Applicant.

Drawings

Applicant filed six sheets of formal drawings on September 9, 2003 for publication with the application. However, Applicant notes that the Office did not use the formal drawings for the published application (2004/0049161) and, therefore, Applicant is not sure that the Office has the formal drawings in the file. To avoid doubt

as to the integrity of the Office file, Applicant has enclosed another set of six sheets of formal drawings.

Please replace the informal drawings sheets with the six (6) enclosed replacement sheets. The enclosed replacement sheets show better quality drawings of figures 1-13 than the drawings originally filed. No new matter is introduced by the replacement sheets.

Conclusion

In view of the forgoing, Applicant respectfully submits that all pending claims are in condition for allowance. Reexamination and reconsideration of the application are respectfully requested.

Applicant has enclosed a fee for the filing of this paper. However, if an additional fee or fees are due, the Commissioner is authorized to charge deposit account no. 06-2425 for such fees arising from the filing of this paper.

Respectfully submitted,

FULWIDER PATTON LLP

By: 

Norman L. Morales
Registration No. 55,463

TAR:NLM:jr
Enclosures

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045-1597
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201